

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA,

v.

OCTAVIO MARINELLO,

Defendant.

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)

Criminal No.: 17-260

SENTENCING MEMORANDUM

Filed on behalf of Defendant,
Octavio Marinello

Counsel of Record for this Party:

Lyle Dresbold, Esquire
Pa. I.D. #208123

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UNITED STATES OF AMERICA,)	
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OCTAVIO MARINELLO,)	
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Defendant.)	

SENTENCING MEMORANDUM

AND NOW, comes Defendant, Octavio Marinello, by and through his attorney, Lyle Dresbold, Esquire, who respectfully submit the following memorandum to aid this Honorable Court in the invocation of its sentencing discretion.

Defendant Octavio Marinello is remorseful for his conduct and regrets the harm he has caused others and himself. If there was one day in his life that he could take back, it would be the day that he participated in the marijuana sale that is the subject of his plea. On that day, he went from eating pizza with friends to fighting for his life while bleeding out of his chest and arm. His co-defendants, who robbed and shot Octavio, went to trial, where Octavio bravely relived his trauma and testified against them. Unlike the co-defendants, Octavio immediately took responsibility for his involvement including admitting that the firearm found was his.

Octavio Marinello is thirty-two (32) years old and resides in Greensburg, Westmoreland County, Pennsylvania with mother, Kim Brecht and his two dogs. He earned his GED after dropping out of school in the eleventh grade and went on to achieve an associate degree in surgery technology from technical school.

Octavio is a laborer. He enjoys working outside and working with hands. He likes doing jobs that involve landscaping or construction. He also enjoys paintball. He travels throughout the region playing paintball and providing support for his team.

Before the events of this case, Octavio was in good mental and physical health. On August 7, 2017, as a result of the events of this case, Octavio underwent surgeries for gunshot wounds to his right arm and chest. Surgeons removed the bullet and performed a vein graft of his arm. He had to undergo extensive physical therapy and still has ongoing physical problems. He twice had his stomach pumped as he now has problems digesting food. He worries about future physical problems as a result of the shooting.

Since the pre-sentence report was issued, Octavio has taken steps to improve his mental health. He now suffers from symptoms consistent with post-traumatic stress and general anxiety disorder. He has been attending behavioral health sessions and outpatient treatment since June of this year. A letter updating his treatment status is attached.

Octavio Marinello accepts total responsibility and will comply with any conditions of the sentence to be imposed by this Honorable Court.

Respectfully submitted,

/s/ Lyle L. Dresbold
Lyle L. Dresbold, Esquire
Attorney for Defendant

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the within Sentencing Memorandum was served upon the following parties on the 23rd day of November, 2020, via electronic filing:

The Honorable Arthur Schwab
U.S. Post Office and Courthouse
700 Grant Street
Pittsburgh, PA 15219

Heidi M. Grogan, A.U.S.A.
U.S. Post Office and Courthouse
700 Grant Street
Suite 4000
Pittsburgh, PA 15219

/s/ Lyle L. Dresbold
Lyle L. Dresbold, Esquire
Attorney for Defendant